



RCE/1165  
#B  
Patent Attorney's Docket No. 001560-381

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of )  
Kengo AKIMOTO et al. ) Group Art Unit: 1651  
Application No.: 09/530,260 ) Examiner: Irene Marx  
Filed: July 12, 2000 ) Confirmation No.: 7267  
For: PROCESS FOR PRODUCING )  
ARACHIDONIC ACID- )  
CONTAINING LIPID AND )  
DIHOMO-GAMMA-LINOLENIC )  
ACID-CONTAINING LIPID )

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APR 01 2003

TECH CENTER 1600/2900

**REQUEST FOR CONTINUED EXAMINATION  
TRANSMITTAL LETTER**

**BOX RCE**  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the [ ] \$375.00 (2801) [X] \$750.00 (1801) fee due under 37 C.F.R. § 1.17(e).

1. Applicant(s) previously submitted the following documents for which continued examination is requested:  
 Consider the Amendment and Reply under 37 C.F.R. § 1.116 previously filed on January 27, 2003.  
 Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_.  
 Other: \_\_\_\_\_.
2. The following documents are enclosed with this submission:  
 Supplemental Reply and Declaration Pursuant to 37 C.F.R. §§ 1.801-1.809.  
 Affidavit(s)/Declaration(s).  
 Information Disclosure Statement (IDS).  
 Other: \_\_\_\_\_.
3.  Small entity status is hereby claimed.  
 No additional claim fee is required.  
 The fee is calculated below on the basis of the highest number of claims already paid for in this application prior to this submission:

03/31/2003 AWONDAF1 00000076 09530260

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(10/02)

Request for Continued Examination Transmittal Letter  
 Application No. 09/530,260  
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 Page 2

CLAIMS					
	NO. OF CLAIMS	HIGHEST NO. OF CLAIMS THUS PAID FOR	EXTRA CLAIMS	RATE	Fee
Basic Fee					\$750.00 (1001)
Total Claims	37	MINUS 20 =		× \$18.00 (1202) =	
Independent Claims	4	MINUS 3 =		× \$84.00 (1201) =	
If multiple dependent claims are presented, add \$280.00 (1203)					
Total Fee					
If small entity status is claimed, subtract 50% of Total Fee					
<b>TOTAL FEE DUE</b>					

4.  A check in the amount of \$ 750.00 is enclosed for the fee due.
5.  Charge \$ \_\_\_\_\_ to Deposit Account No. 02-4800 for the fee due.
6.  Applicant(s) requests suspension of action by the Office until at least \_\_\_, which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R. § 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

The Commissioner is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

By: Jay Williams  
 Jay F. Williams  
 Registration No. 48,036

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 (703) 836-6620

Date: March 27, 2003



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**SUPPLEMENTAL REPLY**

TECH CENTER 1600/2900

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In furtherance to the Amendment and Reply filed January 27, 2003 and in response to the Official Action mailed on July 25, 2002 (i.e., Paper No. 13), Applicants herein provide the following remarks:

**REMARKS**

Entry of the foregoing, reexamination and further and favorable reconsideration of the subject application in light of the following remarks, pursuant to and consistent with 37 C.F.R. § 1.112, are respectfully requested.

In furtherance to the arguments set forth in the January 27, 2003 Amendment and Reply, Applicants herein provide a signed declaration pursuant to 37 C.F.R. § 1.808 regarding the restrictions on the availability of the deposited biological material. This declaration is in further response to the rejection of claims 36 and 37 under 35 U.S.C.